

SOUND VIEW INNOVATIONS, LLC v. HULU, LLC, Appeal No. 2024-1092 (Fed. Cir. January 29, 2026). Before Prost, Wallach, and Chen. Appealed from C.D. Cal. (Judge Kronstadt).

Background:

Sound View sued Hulu on June 2, 2017, alleging infringement of six patents. Only method claim 16 of one of those patents, the '213 patent, remains at issue. The patent claims a method for reducing network latency while improving the quality of media streamed to end-user devices. Claim 16 uses helper servers to cache content, coordinate distribution, and adjust data transfer rates, resulting in faster content availability and enhanced quality for end users. The district court granted summary judgment of non-infringement, holding that Hulu's edge servers do not download and retrieve subsequent portions of the same streaming media (SM) object in the same buffer. Sound View appealed this decision in 2022, and the Federal Circuit then vacated the district court's summary judgement holding and remanded the case with instructions to adopt an affirmative construction of "buffer" for comparison to the accused component's "caches."

On remand, the district court construed "buffer" as a specialized buffer, not a generic one. The court then granted summary judgment of non-infringement again based on two factors: (1) the accused product does not use a specialized buffer, and (2) the accused product does not perform the first and second steps of claim 16 in order. Sound View appealed to the Federal Circuit for the second time.

Issues/Holdings:

- (1) Did the district court err in its construction of "buffer" to be a specialized buffer? Yes.
- (2) Did the district court err in requiring the first and second steps of claim 16 to be performed in this order? No.

Discussion:

The Federal Circuit first addressed the construction of "buffer". The Federal Circuit held that the term should be given its ordinary meaning because nothing in the claim language describes the buffer as a specialized buffer that must be associated with only one SM object and there is no definition of buffer in the '213 patent itself. The specification does not clearly indicate a deviation from the ordinary meaning of the term "buffer". The descriptions of ring buffers and buffer pools in the specification do not provide a clear and unmistakable disclaimer that the general-purpose buffer in claim 16 should be associated with only one SM object. The district court thus erred in narrowing the claimed buffer to be a specialized buffer that is "associated with" an SM object.

The Federal Circuit then addressed the implicit ordering requirement in the first and second steps of method claim 16. The first limitation recites "receiving a request for an SM object . . .", and the second limitation recites "allocating a buffer . . . to cache . . . said requested SM object." The Federal Circuit affirmed the district court's construction to require the second step to be performed after the first step because "requested" describes a logical relationship; a request must have occurred before the object can be described as "requested". The use of past participle is not only a grammatical descriptor, but it is also a status indicator reflecting a completed action. Thus, the implicit sequencing is required in claim 16. Since the accused product does not perform the steps in the required order, the Federal Circuit affirmed the summary judgment on this basis.